Cumulative Table of Cases Connecticut Reports Volume 334

(Replaces Prior Cumulative Table)

Alpha Beta Capital Partners, L.P. v. Pursuit Investment Management, LLC (Orders) Andrews v. Commissioner of Correction (Order)	911 907
Asselin & Vieceli Partnership, LLC v. Washburn (Order)	913
Ayres v. Ayres (Orders)	903
Ayres v. Ayres (Orders).	
Bank of New York Mellon v. Ruttkamp (Order)	916
Birch v. Commissioner of Correction	37
Habeas corpus; claim that state deprived petitioner of due process right to fair trial	
insofar as it failed to correct trial testimony of former director of state police	
forensic laboratory that red substance on towel found in victim's home after murder of which petitioner was convicted tested positive for blood when no such test had been conducted and when subsequent testing performed years after petitioner's criminal trial revealed that red substance was not in fact blood; certification to appeal; whether habeas court applied correct standard in determining whether petitioner was entitled to new trial; standard to be applied whenever state fails to correct testimony that it knows or should have known to be false; whether former director of state police forensic laboratory should have known that his testimony was incorrect; whether such testimony is imputed to prosecutor; claim that respondent, Commissioner of Correction, failed to establish	
beyond reasonable doubt that incorrect testimony was immaterial; strength of	
state's case against petitioner, discussed.	
Birch v. State	69
Felony murder; petition for new trial based on claim of newly discovered DNA	00
and other evidence; claim that habeas court incorrectly determined that newly	
discovered DNA evidence did not warrant new trial; whether this court's decision	
in Birch v. Commissioner of Correction (334 Conn. 37), which addressed petition-	
er's appeal from denial of habeas petition and in which court determined that	
petitioner was entitled to new trial, rendered present appeal moot.	
Burke v. Mesniaeff	100
Civil action alleging assault and battery; criminal trespass; certification from Appellate Court; claim that trial court improperly instructed jury with respect to special defense of justification by incorporating charge on criminal trespass;	
whether jury was misled by trial court's improper instruction on criminal tres- pass and defense of premises in arriving at its finding on defendant's justification defense; whether trial court's improper instruction affected jury's independent finding with respect to defendant's special defense of defense of others; whether	
evidence was sufficient to support jury's finding that defendant was acting in defense of others when he forcibly removed plaintiff from house.	
Carolina v. Commissioner of Correction (Order)	909
	909
Goldstein v. Hu (Order)	
Henning v. Commissioner of Correction	1
Habeas corpus; claim that state deprived petitioner of due process right to fair trial insofar as it failed to correct trial testimony of former director of state police forensic laboratory that red substance on towel found in victim's home after	
murder of which petitioner was convicted tested positive for blood when no such test had been conducted and when subsequent testing performed years after petitioner's criminal trial revealed that red substance was not in fact blood; certification to appeal; whether habeas court applied correct standard in determining whether petitioner was entitled to new trial; standard to be applied whenever state fails to correct testimony that it knows or should have known to be false; whether former director of state police forensic laboratory should have known that his testimony was incorrect; whether such testimony is imputed to prosecutor; claim that respondent, Commissioner of Correction, failed to establish beyond reasonable doubt that incorrect testimony was immaterial; strength of state's case against petitioner, discussed.	

Henning v . State	33
Felony murder; petition for new trial based on claim of newly discovered DNA	
and other evidence; claim that habeas court incorrectly determined that newly discovered DNA evidence did not warrant new trial; whether this court's decision	
in Henning v. Commissioner of Correction (334 Conn. 1), which addressed peti-	
tioner's appeal from denial of habeas petition and in which court determined	
that petitioner was entitled to new trial, rendered present appeal moot.	
In re Anthony L. (Order)	914
In re F.H. (Order)	914
In re Tresin J	314
Termination of parental rights; claim that trial court improperly terminated respon-	
dent father's parental rights as to his minor child on statutory (§ 17a-112 [j] [3] [D]) ground that respondent had no ongoing parent-child relationship with child; certification from Appellate Court; claim that Appellate Court improperly upheld trial court's termination of respondent's parental rights; claim that virtual	
infancy exception to lack of ongoing parent-child relationship ground for termina- tion applied when child was less than two years old at time that respondent was incarcerated but six years old at time of termination hearing; claim that interference exception to lack of ongoing parent-child relationship ground for	
the ference exception to tack of ongoing parent-critic relationship ground for termination applied because child's mother was unable to foster ongoing parent-child relationship between child and respondent during respondent's incarceration.	
Jenzack Partners, LLC v. Stoneridge Associates, LLC	374
Foreclosure; certification from Appellate Court; whether Appellate Court correctly determined that entity that had been assigned promissory note and mortgage that was granted as collateral to secure personal guarantee of that note had standing to foreclose mortgage even though guarantee was not explicitly assigned to foreclosing party; whether Appellate Court incorrectly determined that initial entry in plaintiff's record of debt, provided by entity that sold note to plaintiff,	
was inadmissible under statutory (§ 52-180) business records exception to hear-	
say rule.	
JPMorgan Chase Bank, National Assn. v. Shack (Order)	908
Klein v. Quinnipiac University (Order)	903
Kondjoua v. Commissioner of Correction (Order)	915
Lazar v. Ganim.	73
Elections; primaries; action brought by electors pursuant to statute (§ 9-329a) to challenge, inter alia, improprieties in handling of absentee ballots during pri-	
mary election and seeking order directing new primary election; expedited appeal pursuant to statute (§ 9-325); whether appeal challenging results of primary	
and seeking new primary election was moot when general election has already	
occurred; whether trial court correctly determined that plaintiffs lacked standing	
to bring claims pursuant to § 9-329a (a) (1); whether trial court applied proper standard in determining whether plaintiff was entitled to new primary election.	
Ledyard v. WMS Gaming, Inc. (Order)	904
Lyme Land Conservation Trust, Inc. v. Platner	279
Motion to disqualify after remand; motion to open judgment; motion to allow new	
evidence; calculation of damages award pursuant to statute (§ 52-560a [d]) for	
violation of conservation easement; whether trial judge incorrectly concluded	
that he was not required by statute (§ 51-183c) to disqualify himself from presid-	
ing over proceedings after remand by this court; whether § 51-183c was applicable when trial court's judgment was reversed in part and case was remanded for	
reconsideration on fewer than all issues in case; whether § 51-183c was applicable	
when trial court's judgment was reversed as to damages award and case was	
remanded to trial court to take evidence and to recalculate damages; whether this	
court should address defendant's remaining claims that trial court improperly	
denied her motions to open and to allow new evidence and improperly awarded plaintiff \$350,000 in punitive damages pursuant to \$52-560a (d) on remand.	
Mahoney v . Commissioner of Correction (Order)	910
Nationstar Mortgage, LLC v . Gabriel (Orders)	, 908
NetScout Systems, Inc. v. Gartner, Inc	396
Defamation; Connecticut Unfair Trade Practices Act (§ 42-110a et seq.); claim that	
defendant engaged in deceptive business practice by conducting pay to play scheme in which it rated vendors in its market research reports in biased manner,	
screme in which it rated vendors in its market research reports in oidsed manner, on basis of amount of consulting services that vendors purchased from defendant;	
whether trial court properly granted defendant's motion for symmaty indament	

on ground that diegeting false statements made og defendant in market research	
report constituted protected speech under first amendment to United States consti-	
tution; whether allegedly defamatory statements constituted expressions of opin-	
ion or were factual or implied undisclosed facts.	0.1
Office of Chief Disciplinary Counsel v. Savitt (Order)	914
Peek v. Manchester Memorial Hospital (Order)	906
Perez v. Commissioner of Correction (Order)	910
Puff v . Puff	341
Dissolution of marriage; postjudgment motion for modification of alimony; motion	
for contempt and for sanctions; certification from Appellate Court; whether Appel-	
late Court properly reversed trial court's contempt order; civil contempt, dis-	
cussed; whether trial court failed to make specific findings that plaintiff acted	
in bad faith and did not advance colorable claims in support of its award of, inter	
alia, attorney's fees to defendant for plaintiff's purported litigation misconduct;	
remand for further proceedings on defendant's motion for sanctions.	
Reale v. Rhode Island (Order)	901
Robbins Eye Center, P.C. v. Commerce Park Associates, LLC (Orders)	912
Robert S. v. Commissioner of Correction (Order)	913
Saunders v. Briner	135
Limited liability companies; standing; subject matter jurisdiction; whether, in	100
absence of authorization in limited liability company's operating agreement,	
members or mangers lack standing to bring derivative claims in action brought	
under Connecticut Limited Liability Company Act ([Rev. to 2017] § 34-100 et	
seq.) or under common law; whether trial court may exempt single-member	
limited liability company from direct and separate injury requirement necessary to bring direct action; policy considerations applicable in determining whether	
0 /1 0 11	
to treat action raising derivative claims as direct action, discussed; under what	
circumstances, if any, trial court may apportion award of attorney's fees under	
Connecticut Unfair Trade Practices Act (§ 42-110a et seq.); claim that trial court	
abused its discretion in declining to order defendants to reimburse limited liabil-	
ity company for fees incurred by joint, court-appointed fiduciary retained to	
wind up limited liability companies.	001
Seminole Realty, LLC v. Sekretaev (Order)	905
State v. Alexis (Order)	904
State v. Blaine	298
$Conspiracy\ to\ commit\ robbery\ first\ degree;\ certification\ from\ Appellate\ Court;\ claim$	
that trial court's failure to instruct jury on requisite intent necessary to find	
defendant guilty of conspiracy to commit robbery in first degree constituted plain	
error; whether Appellate Court correctly concluded that trial court did not commit	
plain error by failing to instruct jury that, to find defendant guilty of conspiracy	
to commit first degree robbery, it had to find that he intended and specifically	
agreed that he or another participant in robbery would be armed with deadly	
we apon.	
State v . Bryan (Order)	906
State v . Cane (Order)	901
State v . Cecil (Order)	915
State v . Collymore	431
Felonymurder; attempt to commit robbery first degree; conspiracy to commit robbery	
first degree; criminal possession of firearm; prior inconsistent statements; statu-	
tory (§ 54-47a) immunity from prosecution in exchange for testimony during	
state's case-in-chief; fifth amendment right against self-incrimination; motion	
for reconsideration in light of this court's decision in State v. Dickson (322 Conn.	
410), pursuant to which in-court identification that has not been preceded by	
successful identification during nonsuggestive identification procedure must be	
prescreened by trial court; certification from Appellate Court; claim that defend-	
ant's rights to due process and to compulsory process were violated when state	
declined to extend immunity that it had granted under § 54-47a to certain wit-	
nesses during state's case-in-chief to their testimony during defendant's case-	
in-chief; whether state's alleged violation of § 54-47a was constitutional in nature;	
defendant's failure to establish that testimony that he was prevented from offering	
owing to state's decision not to extend immunity beyond its case-in-chief was	
not cumulative; whether state's purported revocation of immunity or trial court's	
warnings to witnesses regarding lack of clarity of law regarding whether immu-	
nity extended to their testimony as defense witnesses was so threatening or	
coercive as to drive those witnesses from witness stand; claim that defendant's	
,	

right to due process was violated, pursuant to Dickson, when two witnesses purportedly gave first time in-court identification testimony about him; scope of rule announced in Dickson, discussed; whether defendant's identity as shooter was at issue with respect to criminal charges against him for purposes of determining whether purported first time in-court testimony of two witnesses violated defendant's right to due process; whether admission of such testimony was harmless beyond reasonable doubt. State v. Crewe (Order) State v. Gomes (Order)	901 909 902
Felony murder; home invasion, conspiracy to commit home invasion; criminal possession of firearm; claim that trial court improperly overruled defendant's objection, pursuant to Batson v. Kentucky (476 U.S. 79), to prosecutor's use of peremptory challenge to excuse prospective African-American juror; certification from Appellate Court; whether Appellate Court incorrectly concluded that trial court had properly overruled defendant's Batson objection; whether prosecutor's explanation for exercising challenge was race neutral; claim that this court should overrule State v. King (249 Conn. 645) and its progeny, holding that distrust of police and concern regarding fairness of criminal justice system constitute race neutral reasons for exercising peremptory challenge; shortcomings of Batson in addressing implicit bias and disparate impact that certain race neutral explanations for peremptory challenges have on minority jurors, discussed; Batson reform in Connecticut, including convening of Jury Selection Task Force to study issue of racial discrimination in selection of juries and to propose necessary changes, discussed.	202
State v. Joseph (Order). State v. Moore Murder; certification from Appellate Court; claim that trial court improperly denied defendant's motion to strike venire panel; whether Appellate Court correctly concluded that data pertaining to entire African-American population in Connecticut and New London county did not constitute probative evidence of underrepresentation of African-American males in jury pool; claim that Appellate Court should have exercised its supervisory authority over administration of justice to require jury administrator to collect and maintain prospective jurors' racial and demographic data in accordance with statute (§ 51-232 [c]) concerning the issuance of questionnaires to prospective jurors; certification improvidently granted.	915 275
State v. Palumbo (Order). State v. Pernell (Order). State v. Raynor. Assault first degree as accessory; conspiracy to commit assault first degree; certification from Appellate Court; whether Appellate Court correctly concluded that record was inadequate to review defendant's challenge under Batson v. Kentucky (476 U.S. 79) to prosecutor's exercise of peremptory challenge to strike prospective juror; adoption of Appellate Court's well reasoned opinion as proper statement of certified issue and applicable law concerning that issue.	909 910 264
State v. Salters (Order) State v. Sentementes (Order) State v. Ward (Order) Wells Fargo Bank, N.A. v. Caldrello (Order). Wells Fargo Bank, N.A. v. Magana (Order) Wiederman v. Halpert Limited liability companies; breach of fiduciary duty; motion to open; claim that trial court improperly exercised subject matter jurisdiction over plaintiff's claims because her alleged injuries were derivative of harm suffered by limited liability companies of which she and certain defendants were members; certification from Appellate Court; whether Appellate Court property upheld determination of trial	913 902 911 905 904 199
court that plaintiff had standing to sue; certification improvidently granted. Wozniak v . Colchester (Order)	906